

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 23, 2005

DIVISION ONE

B179255 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Marcella G.

The September 15, 2004 order terminating parental rights to Anna S. is reversed and the matter is remanded to the juvenile court with directions to conduct further proceedings as are necessary to establish full compliance with the notice requirements of the Indian Child Welfare Act (ICWA). After proper notice as required by the ICWA, in no tribe indicates that Anna S. falls within the ICWA, the court immediately shall reinstate the order terminating parental rights. If a tribe determines that Anna S. is an Indian child within the meaning of the ICWA, the court shall proceed accordingly.

Mallano, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Nott, J. (Assigned) and Joyce Hatter, Deputy Clerk.

Each of the following:

B177065 People v. Gomez
B175366 People v. Castaneda
B168696 People v. Marroquin

DIVISION TWO (Continued)

Each of the following (continued):

B174995 People v. Willard
B178553 People v. Morales
B172744 Tamraz v. Tamraz

Argument waived, cause submitted.

B172684 El-Fadly
 v.
 Northridge Park Townhomes Owners Assoc.

Merits:

Argued by A. El-Fadly appellant in propria persona and by Kathryn Albarian for respondent. Cause submitted.

B175179 People's Choice Wireless, Inc., et al.
 v.
 Verizon Wireless

Merits:

Argued by John Andrews for appellants and by Diann H. Kim for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Nott, J. (Assigned) and Joyce Hatter, Deputy Clerk.

Each of the following:

B178660 People v. Hernandez
B178738 In re: Iris S., et al.
B179070 In re: Javier G.
B178454 Gilmore v. O'Connor
B177131 In re: Natalie G.

DIVISION TWO (Continued)

Each of the following (continued):

B178362 In re: Kaelynn J.
B172593 People v. Eduardo M.
B179721 In re: Sarah B.
B182676 Rebecca R. v. LASC

Argument waived, cause submitted.

B176692 David M.
 v.
 Beverly Hospital, et al.

Merits:

Argued by Thomas E. Wall for appellant; by Terry L. Kesinger for respondent Rodney Cotner, M.D. and by Daniel Doyle for respondent Beverly Hospital waived oral argument. Cause submitted.

B173850 Isbell
 v.
 Willoughby

Merits:

Argued by Michael M. Bergfeld for appellant and by Alan M. Goldberg for respondent. Cause submitted.

B172098 Beverly Hills RAC, Inc.
 v.
 Davani

Merits:

Argued by Douglas J. Del Tondo for appellant and by Michael T. Ohira for respondent. Cause submitted.

Court adjourned.

June 23, 2005 (Continued)

DIVISION FOUR

[illegible]

The judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.
Willhite, J.

B174640 Khamitov (Not for Publication)
v.
Rozoum, et al.,

The orders are affirmed. Defendants shall recover their costs on appeal.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

*****Add the following entry to minutes of Division Five for April 15*****

DIVISION FIVE

B180339 People
v.
Gary Holden

B181902 People
v.
Charles Walker

Filed order consolidating above captioned appeals.

DIVISION SIX

B177450 Alden (Not for Publication)

V.

American Title Co.

The judgment is affirmed. Appellant to bear costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.

Coffee, J.

B178540 Coulombe (Not for Publication)

V.

California Unemployment Ins. Board

The judgment is affirmed. Respondent shall recover its costs on appeal.

Perren, J.

We concur: Gilbert, P.J.

Coffee, J.

B176706 Dhaliwal (Not for Publication)

V.

The Franco Family Trust

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, P.J.

Coffee, J.

DIVISION SIX (Continued)

B173742 People v. Avalos (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B179373 People (Not for Publication)
v.
Steinki

The order is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B171719 People (Not for Publication)
v.
Khodabakshian

The conviction on count 2 for assault with a deadly weapon (§ 245, subd. (a)(1)) is vacated. The trial court is directed to send an amended abstract of judgment to the Department of Corrections reflecting a conviction for assault with a deadly weapon upon a police officer (count 1; § 245, subd. (c)) and the imposition of a four-year prison sentence. The judgment, as modified, is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION EIGHT

[illegible]

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
 Flier, J.

B177662 People (Not for Publication)
v.
Ki Joon Rhee

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

B178900 People (Not for Publication)
v.
Zeferino Mendez

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

DIVISION EIGHT (Continued)

B166233 Ivy Street Productions, Inc. (Not for Publication)
 v.
 Sony Pictures Entertainment, Inc. et al.

The part of the judgment awarding attorney fees to Columbia is reversed;
the rest of the judgment is affirmed. The parties are to bear their own costs
on appeal.

Cooper, P.J.

We concur: Boland, J.
 Flier, J.

B173394 People v. Wesner Charles (Not for Publication)
B178959 In Re Wesner Charles on Habeas Corpus

The order "reversing jurisdiction" on the section 12022.53(b) and (c)
enhancements is reversed. The matter is remanded to the trial court with
directions to impose and stay those enhancements. The trial court is
directed to prepare an amended abstract of judgment and to forward it to the
Department of Corrections. In all other respects, the judgment is affirmed.
The petition for habeas corpus is denied.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.